

12-18-02

CPA/3732

**CONTINUED PROSECUTION APPLICATION (CPA)**  
**REQUEST TRANSMITTAL (Small Entity)**

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))

Docket No.

LN.014C4

 **DUPLICATE** (Check box if applicable)

First Named Inventor

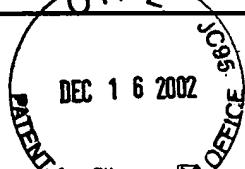
Examiner

Group/Art Unit

Billy G. Anderson

M. Priddy

3732



Address to:  
 Assistant Commissioner for Patents  
 Box CPA  
 Washington, D.C. 20231

11/15  
11-1308

This is a request for filing a  continuation or  divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/698,493 filed on October 27, 2000

and entitled:

COMPOSITE BONE GRAFT, METHODS OF MAKING AND USING SAME

1.  Enter the unentered amendment previously filed on August 28, 2002 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3.  This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).

- a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:

12/19/2002 CVD111	00000119 09698493
01 FC:2006	370.00 OP
02 FC:2202	144.00 OP
03 FC:2203	140.00 OP

- b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

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TECHNOLOGY CENTER R3700

4.  A new power of attorney or authorization of agent is enclosed.
5.  Small Entity Status:
  - a.  A small entity statement is enclosed.
  - b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6.  The fee for this application is calculated as follows:

## CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	36	- 20 =	16	x \$9.00	\$144.00
Indep. Claims	7	- 3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable)			<input checked="" type="checkbox"/>		\$140.00
				BASIC FEE	\$370.00
				TOTAL FILING FEE	\$654.00

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7.  The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No.

- fees required under 37 C.F.R. 1.16.
- fees required under 37 C.F.R. 1.17.
- fees required under 37 C.F.R. 1.18.

8.  A check in the amount of \_\_\_\_\_ is enclosed.

9.  An Information Disclosure Statement (IDS) is enclosed:

- a.  PTO-1449
- b.  Copies of IDS Citations

10.  Also enclosed:

- 1. Credit Card Payment Form authorizing payment.

11.  The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: December 17, 2002



Signature

**Susanne M. Hopkins**

*Typed or printed name*

**33,247**

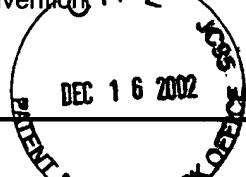
*Registration Number (if applicable)*

Inventor(s)  
 Assignee of complete interest  
 Attorney or agent of record

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Billy G. Anderson, et al.**

Docket No.

**LN.014C4**Serial No.  
**cpa of 09/698,493**Filing Date  
**December 17, 2000**Examiner  
**M. Priddy**Group Art Unit  
**3732**Invention: **COMPOSITE BONE GRAFT, METHODS OF MAKING AND USING SAME****RECEIVED****DEC 20 2002**

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I hereby certify that the following correspondence:

**Credit Card Payment Form authorizing payment of three month extension fee, one (1) page***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

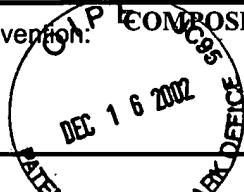
**December 17, 2002***(Date)***Susanne M. Hopkins***(Typed or Printed Name of Person Mailing Correspondence)*

A handwritten signature in black ink, appearing to read "S. M. Hopkins".

*(Signature of Person Mailing Correspondence)***ET354758534US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Billy G. Anderson, et al.**

Docket No.

**LN.014C4**Serial No.  
**cpa of 09/698,493**Filing Date  
**December 17, 2000**Examiner  
**M. Priddy**Group Art Unit  
**3732**Invention: **POLY COMPOSITE BONE GRAFT, METHODS OF MAKING AND USING SAME****RECEIVED****DEC 20 2002**

I hereby certify that the following correspondence:

**Transmittal Letter, one (1) page**

TECHNOLOGY CENTER R3700

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

December 17, 2002  
(Date)

**Susanne M. Hopkins**

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

**ET354758534US**

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.

**TRANSMITTAL LETTER  
(General - Patent Pending)**

Docket No.  
**LN.014C\$**

In Re Application Of: **Billy G. Anderson, et al.**

Serial No.  
**cpa of 09/698.493**

Filing Date  
**December 17, 2002**

Examiner  
**M. Priddy**

Group Art Unit  
**3732**

Title: **COMPOSITE BONE GRAFT, METHODS OF MAKING AND USING SAME**



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**DEC 20 2002**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

TECHNOLOGY CENTER R3700

Transmitted herewith is:

1. Two copies of a Continued prosecution application, three (3) pages;
2. Credit Card Payment Form, one (1) page authorizing payment of filing and excess claims fees;
3. Certificates of mailing by express mail;
4. Petition for Extension of time in parent application, one (1) page;
5. Credit Card Payment Form, one (1) page authorizing payment of extension fee.

in the above identified application.

No additional fee is required.

A check in the amount of \_\_\_\_\_ is attached.

The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. \_\_\_\_\_ as described below. A duplicate copy of this sheet is enclosed.

Charge the amount of \_\_\_\_\_

Credit any overpayment.

Charge any additional fee required.

*credit card payment forms Attached*

*Susanne M. Hopkins, Esq.*  
*General Counsel & Director of Technology*

LIFENET  
5809 Ward Court  
Virginia Beach, VA 23455

Dated: **December 17, 2002**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

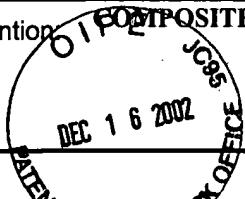
*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Billy G. Anderson, et al.**

Docket No.

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**3732**Invention: **COMPOSITE BONE GRAFT, METHODS OF MAKING AND USING SAME****RECEIVED****DEC 20 2002**

I hereby certify that the following correspondence:

**TECHNOLOGY CENTER R3700****Continued Prosecution Application, two (2) copies, three (3) pages each**

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**December 17, 2002**

(Date)

**Susanne M. Hopkins**

(Typed or Printed Name of Person Mailing Correspondence)

A handwritten signature in black ink, appearing to read "SUSANNE M. HOPKINS".

(Signature of Person Mailing Correspondence)

**ET354758534US**

("Express Mail" Mailing Label Number)

**Note: Each paper must have its own certificate of mailing.**

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TECHNOLOGY CENTER R3700

I hereby certify that the following correspondence:

**Credit Card Payment Form authorizing payment of filing and excess claims fee, one (1) page***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under  
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**December 17, 2002***(Date)***Susanne M. Hopkins***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***ET354758534US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**